

July 8, 1969

MEMO

TO: HUBERT C. LAMBERT & DONALD C. NORSETH

FROM: KENWARD H. MCKINNEY, PRICE AREA OFFICE

RE: BRUCE JENNINGS, REPRESENTING 40 IRRIGATORS, COMPLAINT ABOUT MANTI CITY PAVING OVER IRRIGATION DITCH

Enclosed is a sketch of the area in Manti which LaMond Gardner and I had examined on July 2, 1969. The examination was made to ascertain conditions in ~~water~~ respect to the water conveyance structures referred to by Mr. Jennings in his letter of May 9, 1969, to the State Engineer.

We met first with Mr. Jennings and examined the area. We then talked with the Mayor of Manti, Mr. Leslie Anderson. In our conversation with Mr. Jennings at the site, he indicated essentially the same facts which he had stated in his letter. Mr. Jennings was queried about the history of the deposition of material at the head of the ditch. He indicated that there had been periodic deposition of material at the head of the ditch but that the ditch was always cleaned by shoveling out the accumulated material. It was presumably shoveled out onto the street. When the streets were paved and sidewalks installed, all of this ditch was covered, some portions permanently and others with access. The ditch gate access and the flume and ditch access have apparently been in existence since the ditch was first covered. They had trouble keeping the ditch open because of the deposition of sand and gravel in the covered portion of the conveyance. Recently a structure, designed by a Soil Conservation Service Engineer, according to Mr. Jennings, was installed in the conveyance. This structure was designed to trap sediment in the water and thus eliminate the deposition of material at undesired locations in the conveyance. Mr. Jennings indicated in his letter that the trap was not working satisfactorily. When queried about this Mr. Jennings indicated that the trap was working satisfactorily but that the frequency of cleaning was more often than had been estimated. He indicated that it had been estimated that they would have to clean the trap about three times a year but that it appeared that they would probably have to clean it five or six times this year. Mr. Jennings indicated that it cost about \$10.00 to have the trap cleaned out with a backhoe. When it was mentioned that this was a high runoff year and that the rate of runoff might affect the frequency of a cleaning, Mr. Jennings concurred but indicated that in any event, the irrigators had no method of raising money to clean the trap.

Mr. Jennings indicated that they had had no trouble at the flume and ditch access. Examination of this area indicated that the ditch immediately above the parshall flume had been recently cleaned. In all probability the water master had cleaned this himself in order to keep the entrance to the flume unobstructed and thus be able to properly regulate the flow in the ditch. Sand and gravel thrown to the street side of this area was evidence

for the above assumption.

We then indicated to Mr. Jennings that we believed that if he had nothing more to show us we would be on our way. He then suggested that we talk to the Mayor. We thought that an indication to the Mayor that we were examining this problem would be in order so we went with Mr. Jennings to see Mr. Anderson.

Mr. Anderson indicated that the city had shared in the cost of the sediment trap as a gesture of good will and not because they felt any particular obligation on their part to do so. He indicated that there was still some doubt about whether they should have participated in this structure. He indicated that the city had contributed \$125.00 toward the construction of the trap. Mr. Anderson said that it was the city's position that irrigators were responsible to keep their ditches clean and open. He indicated that if the city were to assume this responsibility in this instance, many of the irrigators in the city would want the same kind of service. He said that he did not think it was the city's responsibility to clean ditches. He said that because of certain extenuating circumstances in the present instance the city had participated, but that they again did not believe they should assume any further obligation in this matter. Mr. Anderson indicated that rather than 2 or 3 years ago the canal was paved over 10 or 12 years ago.

Mr. Jennings and Mr. Anderson then discussed what would happen if the conduit became completely plugged. Mr. Anderson then indicated that the irrigators could call on the fire department to help jet the conduit open with a fire hose. A discussion between the two of them indicated that the conduit had become plugged once before (prior to installation of the sediment trap) and that at that time the fire department had jetted the conduit open. During this jetting process the fire hose they were using was damaged by broken glass. Evidently there was some discussion about liability in this instance. At any rate, the mayor indicated that if the conduit were to again become plugged the irrigators could again call on the fire department to help clear the line. This terminated the discussion on this matter.

It would appear from this examination that the irrigators should assume responsibility for cleaning the head of their ditch (in this case the sediment trap) or should institute legal action to ascertain, in this case, whose responsibility it is to clean the trap.

